

Please Direct All Correspondence to Customer Number **45,311**

TRANSMITTAL

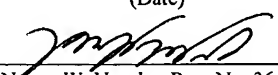
Applicant : Merril et al.
App. No : 10/659,711
Filed : September 11, 2003
For : ANTIBACTERIAL THERAPY WITH
BACTERIOPHAGE
GENOTYPICALLY MODIFIED TO
DELAY INACTIVATION BY THE
HOST DEFENSE SYSTEM
Examiner : Stucker, Jeffrey J.
Art Unit : 1648

CERTIFICATE OF MAILING

I hereby certify that this correspondence and all marked attachments are being deposited with the United States Postal Service as first-class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on

April 25, 2005

(Date)



Nancy W. Vensko, Reg. No. 36,298

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith for filing in the above-identified application are the following enclosures:

- (X) Substitute Power of Attorney Under 37 CFR 3.71(a) and Change of Correspondence Address in 2 pages.
- (X) Return prepaid postcard.
- (X) Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.


Nancy W. Vensko
Registration No. 36,298
Attorney of Record
Customer No. 45,311
(805) 547-5580



NIH298.1DC1CC1

PATENT
DHHS Case No. E-110-1993/0-US-19

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of Merrill et al.

Ser. No. : 10/659,711
Filed : September 11, 2003
Title : ANTIBACTERIAL THERAPY WITH BACTERIOPHAGE
GENOTYPICALLY MODIFIED TO DELAY INACTIVATION
BY THE HOST DEFENSE SYSTEM
Art Unit : 1648
Examiner : Stucker, Jeffrey J.

**SUBSTITUTE POWER OF ATTORNEY UNDER 37 CFR 3.71(a)
AND CHANGE OF CORRESPONDENCE ADDRESS**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir or Madam:

The Government of the United States of America, as represented by the Secretary, Department of Health and Human Services ("Assignee") is the assignee of the entire right, title, and interest in the above-identified U.S. patent application ("the Application") as evidenced by an assignment recorded in the patent assignment records of the U.S. Patent and Trademark Office on April 5, 1994, at Reel 6951, Frame No. 978. In accordance with 37 CFR 3.73(b), the undersigned certifies that he or she is authorized to act on behalf of the Assignee, has reviewed all of the evidentiary documents accompanying or referred to in this Substitute Power of Attorney and, that, to the best of his or her knowledge and belief, title is in the Assignee.

The Assignee hereby revokes all previous powers of attorney and appoints the following attorneys and patent agents of the National Institutes of Health, Office of Technology Transfer, and of Knobbe Martens Olson & Bear, LLP, who are identified with the following Customer Number, to prosecute and transact all business in the U.S. Patent and Trademark Office connected with the Application, including but not limited to receiving all documents issued by the U.S. Patent and Trademark Office based thereon, paying any and all fees, including maintenance fees, filing for reissues and extensions, and requesting reexamination:

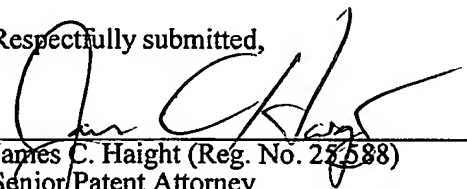
In re Appln. of Merrill et al.
Ser. No. 10/659,711

The assignee further requests that correspondence concerning this application be directed to Nancy W. Vensko of Knobbe Martens Olson & Bear, LLP, as Customer Number:

45,311

The Assignee also requests that all telephone calls be directed to Knobbe Martens Olson & Bear, LLP at 805-547-5580.

Respectfully submitted,



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Date: March 31, 2005

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